

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE
BRIAN P. KEMP**

Pursuant to O.C.G.A. §§ 50-13-3, 50-13-4 and 50-13-6, the Department has amended rules 290-2-1-.11 and has adopted rule 290-2-1-.21 of the Rules and Regulations for Group Day Care Homes, Chapter 290-2-1.

I do hereby certify that the attached rule adoption is a true and correct copy as promulgated and adopted by Bright from the Start: Georgia Department of Early Care and Learning (Department) on the 24th day of February, 2014.

BRIGHT FROM THE START: GEORGIA DEPARTMENT OF EARLY CARE AND LEARNING

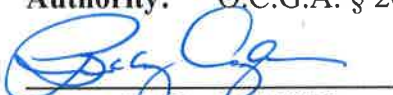
Filed: February 24, 2014.

Chapter 290-2-1 Group Day Care Homes

Rule 290-2-1-.11 titled "*Operations, Health, Safety and Activities.*" amended.

Rule 290-2-1-.21 titled "*Transportation.*" adopted.

Authority: O.C.G.A. § 20-1A-1 *et seq.*



Bobby D. Cagle, MSW

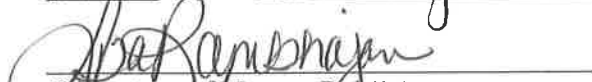
Commissioner

Bright from the Start:

Georgia Department of Early Care and Learning

Sworn to and subscribed before me this

24th day of February, 2014.



(Signature of Notary Public)

(Notary Public Seal)



290-2-1-.11 Operations, Health, Safety and Activities

(1) **Policies and Procedures.** Each Group Day Care Home shall establish policies and procedures which shall be kept current and made available to the parent or guardian and used to govern the operations of the Group Day Care Home. The policies and procedures shall: ** *

(a) Be consistent with applicable laws, regulations and these rules; ** *

(b) Include a written description of services to be provided which specifies the following: ** *

1. Ages of children served; ** *

2. Months of operation; ** *

3. Days of operation; ** *

4. Hours of operation; ** *

5. Dates and times the Group Day Care Home is closed; ** *

6. Enrollment and admission requirements, including parental or guardian responsibilities for supplying and maintaining accurate required record information and escorting child to and from the Group Day Care Home; ** *

7. Standard fees, payment of fees, fees related to absences and vacations and other charges such as insurance, transportation, late fees, etc.; ** *

8. Transportation provided, if any; ** *

9. Field trip services, if any;

(c) The policies and procedures shall also include written procedures for the following: **

1. Guidance and discipline techniques; ** *

2. Handling emergency medical care, including place(s) the children will be taken for emergency medical care; ** *

3. Administering medication and recording noticeable adverse reactions to medication; ** *

4. Notifying parent or guardian of the child's illness, injury, exposure to a notifiable communicable disease and noticeable adverse reaction to prescribed medication(s). ** *

5. Exclusion of sick children; ** *

6. Exclusion of children with communicable diseases, as defined on the chart of communicable diseases which contains recommendations for the exclusion of sick children and their readmission and is provided by the Department; ** *

7. Protection of children in the event of: severe weather, fire, and physical plant problems, such as a power failure that affects climate control or structural damages; ** *

8. The Group Day Care Home's transportation policy, if provided, to include the procedure to be followed if no one authorized to receive a transported child is available; and

9. Handling emergencies, including but not limited to severe weather, loss of electrical power or water and death, serious injury or loss of a child, which may occur at the Group Day Care Home. Such plans shall include assurance that no Group Day Care Home personnel will impede in any way with the delivery of emergency care or services to a child by licensed or certified emergency health care professionals.

(e) The policies and procedures shall also include the following information:

1. A description of meals and snacks served, including guidelines for food brought from the child's home;

2. Permission for access by the child's parent or guardian to all Group Day Care Home areas used by the child;

3. Child abuse reporting law requirements;

4. A description of behavior management and discipline actions used by the Group Day Care Home;

5. Nondiscrimination statement;

6. Group Day Care Home sponsored religious and cultural activities, if any;

7. If licensed for the care of an infant or toddler:
 - (i) Group Day Care Home's diapering procedures;
 - (ii) Group Day Care Home's toilet training procedures;
 - (iii) Group Day Care Home's feeding procedures;
 - (iv) Group Day Care Home's safe sleep practices, which shall include the following information:
 - (I) The initial placement of infants on their backs to sleep;
 - (II) No cover or other soft items in crib or other approved sleeping equipment;
 - (III) Appropriate sleep clothing for infants to be provided by parent or guardian;
 - (IV) Individual crib, cot or mat and bedding provided and changing and cleaning practices for these items;
 - (V) Infants who fall asleep in other equipment, on the floor or elsewhere will be moved to a crib to sleep; and
 - (VI) No swaddling or positioning devices used.
 - (f) The Group Day Care Home shall have written documentation signed by the parent or guardian in each child's file that the director or designee has:
 1. Provided to the parent or guardian a copy of the Group Day Care Home's policies and procedures required by this rule;
 2. Advised the parent or guardian of the Group Day Care Home's safe sleep practices;
 3. Advised the parent or guardian of the child's progress, issues relating to the child's care and individual practices concerning the child's special needs;
 4. Encouraged parent's or guardian's participation in Group Day Care Home activities.
 - (g) The Group Day Care Home shall conduct drills for fire, tornado and other emergency situations. The fire drills will be conducted monthly and tornado and other emergency situation drills will be conducted every six months. The Group Day Care Home shall maintain documentation of the dates and times of these drills for two years.
 - (h) The Group Day Care Homes shall provide the parent or guardian with a copy of the Group Day Care Home's policies and procedures as required by this rule.
- (2) **Posted Notices.** Each Group Day Care Home shall post in a designated area for public viewing near the front entrance the following: * * *
 - (a) The current Group Day Care Home license or commission; * * *
 - (b) A copy of these rules; * * *
 - (c) A notice provided by the Department which advises parents or guardians of their right to review a copy of the Group Day Care Home's most recent licensure or commission evaluation report upon request to the Group Day Care Home director. The Group Day Care Home shall provide any parent or guardian with a copy of this evaluation report upon request. * * *
 - (d) A copy of the current communicable disease chart, as provided by the Department; * * *
 - (e) A statement allowing parental or guardian access to all child care areas upon notifying any staff member of his or her presence; * * *
 - (f) Names of persons responsible for the administration of the Group Day Care Home in the administrator's absence; * * *
 - (g) The current week's menu for meals and snacks; * * *
 - (h) Emergency plans for severe weather and fire; and * * *
 - (i) A statement requiring visitors to check in with staff when entering the Group Day Care Home. * * *
- (3) **Confidential Information.** Information pertaining to the children enrolled at a Group Day Care Home is considered confidential and may not be released by Group Day Care Home staff without first obtaining written permission signed by the parent or guardian except in the following situations. Relevant information relating to the children's family situations, medical status and behavioral characteristics on the children enrolled at the Home at any time shall be

shared by Group Day Care Home staff among caregivers on the Home caregiver staff, with members of the Department or with other persons authorized by these rules or the law to receive such information, or with other persons in an emergency situation involving the child. **

(4) **Parental or Guardian Access.** The custodial parent or guardian of a child shall, at any time the child is in attendance, be permitted access to all child care areas of the Group Day Care Home and shall make his or her presence known to Group Day Care Home staff prior to removing the child from the Group Day Care Home. **

(5) **Health and Hygiene.** The Group Day Care Home shall meet the following minimum criteria: ** *

(a) The Department's current communicable disease chart of recommendations for exclusion of sick children from the Group Day Care Home and their readmission shall be followed. **

(b) A child shall not be accepted nor allowed to remain at the Group Day Care Home if the child has the equivalent of a one hundred and one (101) degree or higher oral temperature and another contagious symptom, such as, but not limited to, a rash or diarrhea or a sore throat **

(c) Parent or guardian of any child who becomes ill or is injured shall be notified immediately of any illness or injury requiring professional medical attention, or any illness which may not require professional medical attention but which produces symptoms causing moderate discomfort to the child, such as, but not limited to, any of the following: elevated temperature, vomiting or diarrhea. Additionally: **

1. Parent's or guardian's specific instructions shall be obtained, and followed if appropriate, until the child is picked up or is able to return to the child's group. **

2. When a child shows symptoms of illness during the day, the child shall be moved to a quiet area away from other children where the child shall be supervised and provided the necessary attention until such time as the child leaves the Group Day Care Home or is able to return to the child's group. **

(d) If the child becomes ill or experiences an adverse reaction to a prescribed medication or is injured during the day and the illness, reaction or injury does not warrant professional medical attention or causes less than moderate discomfort to the child, the parent or guardian shall be notified of the illness, reaction or injury by the end of the day on which the illness, reaction or injury occurred. **

(e) Parent or guardian of each child enrolled shall be notified, in writing, of the occurrence of any of the illnesses on the communicable disease chart, as provided by the Department, within twenty-four (24) hours after the Group Day Care Home becomes aware of the illness or the next working day. **

(f) The Group Day Care Home shall have a written plan which outlines how emergency medical services will be obtained. When a medical emergency arises involving a child, the Group Day Care Home staff shall seek prompt emergency medical treatment and provide any certified or licensed emergency medical persons with immediate access to the child. ** *

(g) Each building of the Group Day Care Home and any vehicle used by the Group Day Care Home for transportation of children shall have a first aid kit which shall at least contain: ** *

1. Scissors; ** *

2. Tweezers; ** *

3. Gauze pads; ** *

4. Adhesive tape; ** *

5. Thermometer; ** *

6. Band-aids, assorted sizes; ** *

7. An anti-bacterial ointment; ** *

8. Insect-sting preparation; ** *

9. An antiseptic cleansing solution; ** *

10. Triangular bandages; ** *

11. Rubber gloves; ** *

12. Cold pack; ** *

13. Protective eye wear; and ** *

14. A protective face mask. ** *

(h) The first aid kit, together with a first aid instruction manual which must be kept with the kit at all times, shall be stored so that it is not accessible to children but is easily accessible to staff. ** *

(i) Except for first aid, personnel shall not dispense prescription or nonprescription medications to a child without specific written authorization from the child's physician, parent or guardian: **
1. Authorizations to dispense medications shall be limited to two (2) weeks, unless otherwise prescribed by a physician. **

(j) Personnel shall only dispense medications that are provided by the parent or guardian and meet the following criteria: **

1. The medication shall be in the original labeled container, **

2. The medication container shall be labeled with the child's full name, and **

3. Medicines which are no longer to be dispensed shall be returned to the child's parent or guardian immediately. **

(k) Non-emergency injections shall only be administered by appropriately licensed persons unless the parent or guardian and physician of the child sign a written authorization for the child to self-administer the injection. **

(l) The Group Day Care Home shall maintain a record of all medications dispensed to children by personnel to include: the date, time and amount of medication that was administered, any noticeable adverse reactions to the medication noted by the staff, and the signature or initials of the person administering the medication. **

(m) All prescription and nonprescription medications shall be kept in a locked storage cabinet or container which is not accessible to the children and stored separate from cleaning chemicals, supplies or poisons. **

(n) Medications requiring refrigeration shall be placed in a leak proof container in a refrigerator that is not accessible to the children. **

(o) Personnel shall, to the extent possible, keep children clean, dry and comfortable. **

(p) Children's hands shall be washed with liquid soap and warm running water: **

1. Immediately upon arrival for care, when moving from one child care group to another, and upon re-entering the child care area after outside play; **

2. Before and after eating meals and snacks, handling or touching food, or playing in water; **

3. After toileting and diapering, playing in sand, touching animals or pets, and contact with bodily fluids such as, but not limited to, mucus, saliva, vomit or blood; and

4. After contamination by any other means.

(q) Washcloth handwashing is permitted for infants when the infant is too heavy to hold for handwashing or cannot stand safely to wash hands at a sink and for children with special needs who are not capable of washing their own hands. An individual washcloth shall be used only once for each child before laundering. **

(r) Between each diaper change, unless the child is changed in his own crib, the diaper change surface shall be: **

1. Cleaned with a disinfectant, and

2. Dried with a single-use disposable towel.

(s) Personnel shall wash their hands with liquid soap and warm running water: **

1. Immediately upon arrival for the day, when moving from one child care group to another, and upon re-entering the child care area after outside play; **

2. Before and after diapering each child, dispensing medication, applying topical medications, ointments, creams or lotions, handling and preparing food, eating, drinking, preparing bottles, feeding each child, and assisting children with eating and drinking;
 3. After toileting or assisting children with toileting, using tobacco products, handling garbage and organic waste, touching animals or pets, and handling bodily fluids, such as, but not limited to, mucus, saliva, vomit or blood; and **
 4. After contamination by any other means.
- (t) The diaper changing area shall be clear of:
1. Formulas,
 2. Food, food utensils and food preparation items, and
 3. Any items which a child could reach while being changed which might harm a child.
- (u) Separate containers shall be used for storing soiled disposable items, such as disposable diapers, disposable washcloths and soiled non-disposable items such as cloth diapers, washcloths and bed linens.
- (v) Soiled item storage containers shall be:
1. Waterproof or equipped with a leak proof disposable liner,
 2. Covered,
 3. Easily cleaned, and
 4. Maintained in such a manner so as the contents of the container are never accessible to the children.
- (w) Children's soiled or wet clothing shall be stored in individual plastic bags.
- (x) If used, toilet potty chairs shall after each use be emptied by disposal in a flush toilet, cleaned with a disinfectant and stored in the bathroom. If a sink is used, the sink shall also be disinfected.
- (y) Soiled laundry shall be in covered containers and kept separate from clean laundry. **
- (z) If laundry is done on Group Day Care Home premises, the laundry area shall:
1. Be located outside the children's activity rooms or areas, and
 2. Not be used as a passageway by children to travel from one area to another whenever any soiled or clean laundry is exposed.
- (aa) All parts of the Group Day Care Home shall be kept clean and in good repair.***
- (bb) Hygienic measures, such as, but not limited to, screened windows, covered containers for food and proper waste disposal procedures shall be utilized to minimize the presence of rodents, flies, roaches and other vermin at the group day care home.***
- (cc) Floor coverings shall be tight, smooth, free of odors and washable or cleanable. ***
- (dd) The following shall be cleaned with a disinfectant as specified:
1. Tubs after each use,
 2. Showers after each use,
 3. Bathroom areas daily, and
 4. Food service areas daily.
- (ee) The following children's personal items shall be kept clean: ***
1. Combs, ***
 2. Toothbrushes, and ***
 3. Cloth towels ***
- (ff) Each child's personal items shall: **
1. Be kept on individually labeled racks, in cubbies or lockers,
 2. Be separated from the articles used by other children, and **
 3. Not used by any other child prior to being laundered or disinfected. **
- (gg) No persons shall be permitted to use the same utensil for drinking or eating without the utensil having been thoroughly cleaned between uses. **
- (hh) Drinking fountains, if available, shall: ***

1. Be safe and kept clean, ** *
 2. Have regulated pressure, ** *
 3. Not be mounted on sinks used for diaper changing activities, and ** *
 4. Have an angle jet with an orifice guard above the rim. ** *
- (ii) Single service drinking cups shall be provided when appropriate drinking fountains are not available. ** *
1. Cups shall be discarded after each use unless the cups are sanitized in a dishwasher between each use. ** *
- (jj) Garbage and organic waste shall be stored in containers lined with plastic liners and having tight fitting covers. ** *
- (kk) Trash and garbage shall be removed from the building daily, or more often if necessary, to maintain the premises in a clean condition. ** *
- (ll) Rooms with toilets and lavatories shall be equipped within easy reach of children with the following: ** *
1. Liquid soap, ** *
 2. Toilet tissue, and ** *
 3. Single use towels or cloth towels used only once in between launderings. ** *
- (6) **Activities.** The Group Day Care Home shall provide a daily planned program of varied and developmentally appropriate activities that promote the social, emotional, physical, cognitive, language and literacy development of each child. Group Day Care Home staff shall use a variety of teaching methods to accommodate the needs of the children's different learning styles. **
- (a) Current lesson plans shall be kept on site and reflect appropriate instruction practices and activities to support children's development. The Group Day Care Home shall have sufficient and varied play and learning equipment and materials to support the above program of activities in all developmental areas. Opportunities for each child to make choices in a variety of activities shall be offered. Children with special needs shall be integrated into the activities provided by the Group Day Care Home unless contraindicated medically or by parental or guardian agreement.
- (b) **Variety of Activities.** Activities shall be planned for each group to allow for: **
1. Indoor and outdoor play, **
 2. A balance of quiet and active periods, **
 3. A balance of supervised free choice and caregiver-directed activities, **
 4. Individual, small group, and large group activities, **
 5. Large muscle activities, such as, but not limited to, running, riding, climbing, balancing, jumping, throwing, or digging, **
 6. Small muscle activities, such as, but not limited to, building with blocks or construction toys, use of puzzles, shapes, nesting or stacking toys, pegs, lacing, sorting beads or clay;
 7. Language experiences such as, but not limited to, listening, talking, rhymes, finger plays, stories, use of film strips, recordings or flannel boards;
 8. Arts and crafts, such as, but not limited to, painting, coloring, cutting or pasting;
 9. Dramatic play such as, but not limited to, play in a home center, with dolls, puppets or dress up;
 10. Rhythm and music such as, but not limited to, listening, singing, dancing, or making music; and
 11. Nature and science experiences such as, but not limited to, measuring, pouring, activities related to the "world around us" such as nature walks, plants, leaves or weather, or experiences in using the five senses through sensory play.
- (c) **Schedules.** A daily schedule for each group shall be developed to reflect routines and activities. Schedules shall be: *

1. Flexible but routinely followed to provide structure, *
2. Posted in each group's room or area, and *
3. Made available to parents or guardians upon request *

(d) Outdoor Activities. Outdoor activities shall be provided daily, weather permitting, in accordance with the following: **

1. Group Day Care Homes operating five (5) hours or more per day shall provide each child who is not an infant at least one and one half (1.5) hours of outdoor activity per day; **
2. Group Day Care Homes operating five (5) or more hours per day shall provide each child who is an infant at least one (1) hour of outdoor activity per day; **
3. Group Day Care Homes operating less than five (5) hours per day shall provide a brief outdoor period for the children daily; and **
4. A child may be excused from outdoor activities for a limited period of time if there is documentation that outdoor activity is medically contraindicated or there is an occasional written request by the parent or guardian that the child be excused from outdoor activities for a very limited amount of time because of special circumstances. **

(e) Staff shall not engage in, or allow children or other adults to engage in, activities that could be detrimental to a child's health or well-being, such as, but not limited to, horse play, rough play, wrestling or picking up a child in a manner that could cause injury.

(f) Individual Attention. Personnel shall provide individual attention to each child as evidenced by: **

1. Responding promptly to the child's distress signals and need for comfort **
2. Playing with and talking to the child **
3. Providing and assisting the child with personal care in a manner appropriate to the child's age level, i.e. providing the child privacy in dressing, diapering and toileting functions as the chronological age of the child dictates. **

(g) Routines for Children. Personnel shall provide routines for toileting, eating, resting, napping (depending upon the age of the children), intervals between activities, and doing school homework, if any. **

1. Children shall be allowed as they feel the need to:

- (i) Go to the toilet, and
- (ii) Get drinking water;

2. Supervised nap or rest periods during the day shall be provided for children under five (5) years of age;

3. Quiet activities for school age children, and other children who are not asleep shall be provided. **

(i) Children who do not sleep during nap or rest period shall not be required to remain lying down for more than one (1) hour during the day;

4. Opportunities for each child to make choices in a variety of activities shall be offered; **

5. The use of entertainment media, such as television, video taped programs or movies and video or computer games shall be limited to: **

(i) Television programs or computer software produced for the benefit of audiences comprised of young children;

(ii) "G"-rated movies, i.e., movies that have been rated by the motion picture industry as suitable for a general audience which includes young children, or movies that have not been rated but which have been fully previewed by the administrator who has determined that the movies were produced for the benefit of young children and are appropriate for viewing by young children;

(iii) No more than two (2) hours daily per child or group; and

(iv) Provided only at times when alternative activities are available for children who choose not to participate **

6. Staff shall assist and encourage each child to become independent in the development of self-help skills, such as washing hands and face, dressing, eating and toileting.

(h) **Activities for Children under Three.** Children less than three (3) years of age shall:

1. Be allowed time to play on the floor daily. Infants shall also be provided with supervised tummy time on the floor daily while awake;
2. Not be routinely left in cribs or playpens except for rest or sleep; and
3. Not spend more than one-half (1/2) hour of time consecutively in confining equipment, such as swings, highchairs, jumpseats, carriers or walkers. Children shall use such equipment only when awake.

(7) **Evening Activities.** During evening and nighttime care, activities shall be provided based on children's ages, hours of care and length of time in care:

(a) Quiet activities and experiences shall be available immediately prior to bedtime.

(8) **Field Trips.** The Group Day Care Home shall obtain written permission from the parent or guardian in advance of the child's participation in any field trip. **

(a) The field trip permission notice shall provide details of the trip including: **

1. The name/address of the trip destination, **
2. The date of the trip, **
3. Time of departure, and **
4. Estimated arrival time back at the group day care home; and **

(b) The written parental or guardian approval shall include: **

1. Parent's or guardian's signature, and **
2. Date of approval. **

(c) A list of children and adults participating in the field trip and an emergency medical information record on each child to include the child's full name, date of birth, allergies, special medical needs and conditions, current prescribed medications that the child is required to take on a daily basis for a chronic condition, the name and phone number of the child's doctor, the local medical facility that the Group Day Care Home uses in the area where the Home is located and the telephone numbers where each child's parent or guardian can be reached, shall be: **

1. Left at the Group Day Care Home; and **
2. Taken on the trip and in the possession of the adult in charge of the trip. **

(d) Each child on a field trip shall have on his person:

1. His or her name; and
2. The Group Day Care Homes' name, address and telephone number.

(9) **Safety.** Disciplinary actions used to correct a child's behavior, guidance techniques and any activities in which the children participate or observe at the Group Day Care Home shall not be detrimental to the physical or mental health of any child. **

(a) Personnel shall not: **

1. Physically or sexually abuse a child, or engage in or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Group Day Care Home; **
2. Inflict corporal/physical punishment upon a child; **
3. Shake, jerk, pinch or handle roughly a child; **
4. Verbally abuse or humiliate a child which includes, but is not limited to, the use of threats, profanity or belittling remarks about a child or his family; **
5. Isolate a child in a dark room, closet or unsupervised area; **
6. Use mechanical or physical restraints or devices to discipline a child; **
7. Use medication to: **

(i) Control a child's behavior without written medical authorization issued by a licensed professional and given with the parent's or guardian's written consent; or **

(ii) Discipline a child; **

8. Restrict unreasonably a child from going to the bathroom; **
 9. Punish toileting accidents; **
 10. Force feed a child or withhold feeding a child a regularly scheduled meals and/or snacks; **
 11. Force or withhold naps; **
 12. Allow children to discipline or humiliate other children; **
 13. Confine a child for disciplinary purposes to a swing, highchair, infant earner, walker or jumpseat; or **
 14. Commit any criminal act, as defined under Georgia or federal law in the presence of any child enrolled in the Group Day Care Home. **
- (b) Children shall not be permitted: **
1. In the kitchen except as part of a planned, supervised learning experience; **
 2. To wear around their necks or attached to their clothing pacifiers or other hazardous items; or
 3. To participate in a swimming activity or any activity away from the Group Day Care Home without the parent's or guardian's written permission. **
- (c) Infants and children shall not be left unattended while being diapered or having their clothes changed on the diaper changing surface. **
- (d) All unused electrical outlets within reach of children shall have protective caps specifically designed to prohibit children from placing anything in the receptacle. Electrical outlets in use which the children can reach shall be made inaccessible to the children.
- (e) Heating and cooling equipment shall be protected to prevent children from touching it.
- (f) Fans, space heaters, etc. shall be positioned or installed so as to be inaccessible to the children. **
- (g) An operable telephone shall be readily available in the Group Day Care Home with the following telephone numbers posted in a conspicuous place next to each telephone. In those areas of the state serviced by the 911 emergency number, 911 may be posted in lieu of the phone numbers required for 2. 3. and 4. below: ** *
1. A physician or hospital; ** *
 2. An ambulance or rescue squad service; ** *
 3. The local fire department; ** *
 4. The local police department; ** *
 5. The county health department; and ** *
 6. The regional poison control center. ** *
- (h) Construction and maintenance work shall take place only in areas that are not accessible to the children. **
- (i) Interior Group Day Care Home door locks shall permit personnel to open the locked room from the outside of the room in an emergency.
- (j) All floor level windows or full-length glass doors shall be constructed of safety glass with decals applied at the eye level of the children or such windows or doors shall have protective devices covering the glass designed to prevent the children from getting cut by the glass should it break for any reason. ** *
- (k) Doors to rooms not approved for child care, other than kitchen doors, shall be latched or locked so children cannot wander into those areas. Children shall not be permitted access to any area not approved for child care, including the kitchen. ** *
- (l) The Group Day Care Home premises shall be free of plants and shrubs which are poisonous or hazardous. ** *
- (m) When permanent swimming or wading pools are located on the Group Day Care Home premises, applicable local regulations regarding the design, construction, operation, and maintenance shall be followed. **
1. All swimming and wading pools shall be: **

- (i) Inaccessible to children except during supervised activities; and **
- (ii) Operated and maintained in accordance with acceptable health standards**
- (n) Animals shall be controlled to assure that: ** *
 - 1. Proper sanitation of the premises is maintained; and ** *
 - 2. Animals are not a hazard to children, personnel or visitors at the Group Day Care Home. No animals, such as, but not limited to, pit bull dogs, ferrets and poisonous snakes, which may have a vicious propensity, shall be permitted on the Group Day Care Home premises at any time there are children on the premises for which the staff are responsible. ** *
 - 3. Horses or other farm animals shall not be quartered on any property over which Group Day Care Home staff exercises any control that is located within five hundred (500) feet of the building in which the Group Day Care Home is located. ** *
- (o) All animals shall be confined in pens or covered areas except for specific teacher directed learning experiences. ** *
 - 1. Animal pens and confinement areas shall be kept clean; and; ** *
 - 2. Animals shall be properly vaccinated and documentation of the vaccinations shall be maintained at the Group Day Care Home. ** *
- (p) Immediately prior to the Group Day Care Home closing at the end of the business day, a staff member shall make a physical inspection of the entire premises to verify that all children have been returned to their parent, guardian or other designated adult. **
- (q) The Group Day Care Home shall not allow any person to remain on the Group Day Care Home premises if the person does not have a legitimate reason for being on the premises. **
- (r) The Group Day Care Home staff shall comply with all applicable laws and regulations. **

Authority: O.C.G.A. § 20-1A-1 *et seq.*

290-2-1-.21 Transportation

- (1) Transportation Requirements. The transportation requirements that follow apply to all transportation provided by the licensee, including transportation provided by any person on behalf of the licensee, regardless of whether the person is employed by the licensee and regardless of whether a fee is charged for this service. Non-routine transportation, such as a parent requesting that their child be picked up at school due to the parents' work schedule or other conflicts, is also covered by these requirements, regardless of whether a fee is charged for this service. (Possible scenarios include, but are not limited to: contract services hired by the licensee to provide transportation or another licensed facility providing transportation on the licensee's behalf.) **
- (2) Emergency Transportation. A Group Day Care Home shall have available at all times both a licensed driver and a vehicle that meets the safety requirements contained in these rules or must have a plan approved by the Department for alternative emergency transportation. ** *
- (3) Transportation Training. Group Day Care Homes that provide any type of transportation shall obtain two (2) clock hours of transportation training, biannually, for the Director and for each staff person responsible for or who participates in the transportation of children. The training shall include, but is not limited to, a review of the transportation rules as stated in 290-2-1-.21, a review of approved transportation forms and procedures, and instruction on the usage and completion of the forms and procedures. **
 - (a) The Director and each staff person who is responsible for or who participates in the transportation of children shall complete two (2) clock hours of transportation training on or before June 30, 2015 and at least every two years thereafter. **
 - (b) Effective July 1, 2015, the Director and each staff person who will be responsible for or participate in the transportation of children shall have completed two (2) clock hours of

transportation training prior to assuming any duties related to the transportation of children and at least every two years thereafter. **

(c) Any transportation training completed should be state approved or state accepted training. This training may be counted as part of the annual ongoing training requirements for staff. **

(4) Vehicle Safety. Vehicles used for transporting children shall be maintained as follows: ** *

(a) Annual Safety Check. Each vehicle shall have a satisfactory annual safety check, completed by a trained individual, of at least: tires, headlights, horn, taillights, turn signals, brake lights, brakes, suspension, exhaust system, steering, windows, windshields and windshield wipers. A copy of a standard inspection report used by the Department or an equivalent shall be kept in the Group Day Care Home or on the vehicle and should include evidence of any repairs and/or replacements that were identified as needed on the inspection report. ** *

(b) Interior. Interior of a transportation vehicle must be clean, in safe repair and free of hazardous items, objects and/or other non-essential items which could impede the children's access or egress from the vehicle or cause injury if the items were thrown about the vehicle as a result of a collision. ** *

(c) Fire Extinguisher. Each vehicle shall be equipped with a fire extinguisher maintained in working order and kept inaccessible to children. ** *

(d) Heater. Each vehicle must have a functioning heating system. ** *

(e) Seats. Seats must be securely fastened to the body of the vehicle. ** *

(f) Child Passenger Restraints ** *

1. All children transported in a vehicle provided by or used by the Group Day Care Home shall be secured in a child passenger restraining system or seat safety belt in accordance with current state and federal laws and regulations. The child passenger restraining system and seat safety belts must be installed and used in accordance with the manufacturer's directions for such system and used in accordance with the manufacturer's directions with respect to restraining, seating or positioning the child being transported in the vehicle. ** *

2. No vehicle used by the Group Day Care Home to transport children shall exceed the manufacturer's rated seating capacity for the vehicle. The Group Day Care Home shall maintain on file proof of the manufacturer's rated seating capacity for each vehicle used by the Group Day Care Home. ** *

(g) Front Seat. There shall be no more than three (3) persons in the front seat of a transporting vehicle including the driver. Group Day Care Homes must follow applicable current state and federal laws and regulations and the vehicle manufacturer's recommendations when children are allowed to sit in the front seat. ** *

(h) Windows. No window in a transporting vehicle, except that of the driver, shall be opened to more than fifty percent (50%) of its capacity at any time children are on board. **

(5) Staffing Requirements for Transportation of Children **

(a) Driver. Whenever the Group Day Care Home transports children for any reason, the driver of the vehicle shall be at least eighteen (18) years of age and possess a valid driver's license as required for the class of vehicle that the driver operates for the Group Day Care Home. **

(6) Parental Authorization. For routine transportation provided by the Group Day Care Home or on behalf of the Group Day Care Home, the child's parent(s) must provide written authorization for the transportation and specify routine pick-up location, routine pick-up time, routine delivery location, routine delivery time and the name of any person authorized to receive the child. **

(7) Transportation Plan. For all transportation conducted by the Group Day Care Home or on behalf of the Group Day Care Home, the following requirements shall be met: **

(a) Center and Passenger Information. Each vehicle used to transport children shall contain current information including the full names of all children to be transported, and each child's pick-up location, pick-up time, delivery location, alternate delivery location if parent is not at

home and name of person authorized to receive each child. In addition, the vehicle shall contain current information identifying the Group Day Care Home's name and telephone number and the name of the driver of the vehicle. **

(b) Emergency Medical Information. An emergency medical information record must be maintained in the vehicle for each child being transported. The emergency medical information record for each child shall include a listing of the child's full name, date of birth, allergies, special medical needs and conditions, current prescribed medications that the child is required to take on a daily basis for a chronic condition, the name and telephone number of the child's doctor, the local medical facility that the Group Day Care Home uses in the area where the Group Day Care Home is located and the telephone numbers where the parents can be reached. **

(c) Passenger Transportation Checklists. A passenger transportation checklist, provided by or in a format approved by the Department, shall be used to account for each child during transportation. A separate passenger checklist shall be used for each vehicle. **

1. The first and last name of each child transported shall be documented on the passenger transportation checklist. Each child shall be listed individually; a sibling group shall not be listed as a single entry, for example, an entry of "Smith children" would be unacceptable. **

2. The driver or other designated person shall immediately document in writing, with a check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child enters and exits the vehicle. The driver or other designated staff person shall document in writing with a different mark/symbol to account for each child listed on the passenger transportation checklist who was not present on the vehicle for any reason. An explanation shall be documented in writing whenever a child is transported to a field trip site but is not present on the return trip to the Group Day Care Home. **

3. The driver or other designated staff person shall also document in writing the following information about the departure/arrival for all types of transportation on the passenger transportation checklist: **

(i) School Transportation - Each time the vehicle departs from the Group Day Care Home, is loaded or unloaded at each school and when the vehicle returns to the Group Day Care Home. **

(ii) Home Transportation - Each time the vehicle departs from the Group Day Care Home, arrives at the location where any child is picked up or dropped off and when the vehicle returns to the Group Day Care Home. **

(iii) Field Trip Transportation- Each time the vehicle leaves the Group Day Care Home, arrives at a field trip destination, leaves a field trip destination, and returns to the Group Day Care Home. **

4. The staff person on the vehicle responsible for keeping the passenger transportation checklist shall give the completed passenger transportation checklist to the Director or the Director's designated staff person at the Group Day Care Home as set forth below: **

(i) Immediately upon return to the Group Day Care Home at the completion of the trip once the vehicle has been checked; or **

(ii) The next business day following the completion of the trip if the vehicle did not return to the Group Day Care Home at the end of the trip or if the Group Day Care Home was closed when the vehicle returned. **

5. Passenger transportation checklists shall be maintained as Group Day Care Home records for one (1) year. **

(d) Checking the Vehicle. To ensure that all children have been unloaded from transportation vehicles, regardless of whether the vehicle is equipped with a child safety alarm device, the vehicle shall be thoroughly checked first by a designated staff person who was present on the vehicle during the trip and then by a second designated staff person, who may or may not have

been on the vehicle during the trip, to ensure that two checks of the vehicle have been completed. **

1. The first check shall be conducted immediately upon unloading the last child at any location including, but not limited to, a field trip destination, arrival at the Group Day Care Home, and the last stop during transportation to home or school. The responsible person on the vehicle shall: **

(i) Physically walk through the entire vehicle; **

(ii) Visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; **

(iii) Sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle; ** and

(iv) Give the passenger transportation checklist(s) to the second designated staff person. **

2. The second designated staff person shall conduct a check of the vehicle as stated in Rule 290-2-1-.21(7)(d)1.i through iii above. The second check shall be conducted immediately upon the completion of the first check of the vehicle. There shall be continuous watchful oversight of the vehicle between the first check and second check. **

3. If a second designated staff person is not available to conduct a second check of the vehicle, the driver shall check the vehicle as stated in Rule 290-2-1-.21(7)(d)1. i through iii above and then report by phone to the director or designated staff person that the check has been completed and no children remain on the vehicle. (Possible circumstances include, but are not limited to: the Group Day Care Home has closed when the driver returns with the vehicle; the driver is the only staff person on the vehicle at the last destination during home, school or field trip transportation; the driver takes the vehicle home at the end of the day.) The time and verification of such telephone contact shall be immediately documented and signed on the passenger transportation checklist(s) by the driver. **

(8) Travel Restriction. Unless accompanied by his or her parent, no child shall be required to travel more than forty-five (45) minutes on each trip between the Group Day Care Home and destination point, excluding field trips. **

(9) Group Day Care Home Responsibility. The Group Day Care Home is responsible for the child from the time and place the child is picked up until the child is delivered to his or her parents or the responsible person designated by his or her parents. A child shall not be dropped off at any location if there is no one authorized to receive the child. **

(10) Supervision on Vehicles. A child shall never be left unattended in a vehicle. **

(11) Prohibited Methods of Transportation. Children shall not be transported in vehicles, or parts thereof, which are not designed for the purpose of transporting people, such as but not limited to: truck beds, campers or any trailers attached to a motor vehicle. **

(12) Operating Requirements. The motor shall be turned off, the brake set and the keys removed whenever the driver leaves the vehicle. Transporting vehicles shall be parked or stopped so that no child will have to cross the street in order to meet the vehicle or arrive at a destination. **

Authority: O.C.G.A. § 20-1A-1 *et seq.*